

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SONIC AUTOMOTIVE, INC.,

Plaintiff,

vs.

**CHRYSLER INSURANCE COMPANY,
GREAT AMERICAN ASSURANCE
COMPANY, LUMBERMANS MUTUAL
CASUALTY, d/b/a LUMBERMANS MUTUAL
GROUP and UNIVERSAL UNDERWRITERS
INSURANCE COMPANY**

Defendants.

Civil Action No: 1:10-cv-00717-SJD

JUDGE SUSAN J. DLOTT

MAGISTRATE KAREN LITKOVITZ

**DEFENDANT, CHRYSLER INSURANCE COMPANY’S NOTICE OF MOTION FOR
SUMMARY JUDGMENT PURSUANT TO F.R.C.P. 56**

Defendants CHRYSLER INSURANCE COMPANY (herein referred to as “CIC”), by and through its undersigned attorneys, hereby move the Court for an Order of Summary Judgment pursuant to Fed.R.Civ.P. 56. In support thereof, Defendant submits the attached Statement of Proposed Undisputed Material Facts, Certification of Alan R. Levy, Esq. and relevant Exhibits and Memorandum of Law.

WHEREFORE, Defendant, CIC, respectfully requests that this Honorable Court grant its Motion for Summary Judgment, and enter judgment declaring that CIC has no obligation to defend or indemnify plaintiff, Sonic Automotive, Inc. for the underlying *Galura* and *Owens/Price* class action claims.

Respectfully submitted,

/s/ JOHN C. ALBERT

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f/k/a DAIMLERCHRYSLER INSURANCE COMPANY & DCFS TRUST

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2013, I electronically filed the foregoing **DEFENDANT, CHRYSLER INSURANCE COMPANY'S NOTICE OF MOTION FOR SUMMARY JUDGMENT PURSUANT TO F.R.C.P. 56** with the Clerk of Court using the Electronic Filing System which will send notification of such filing to all counsel.

/s/ JOHN C. ALBERT
JOHN C. ALBERT (0024164)